IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CIVIL REVISION APPLICATION No 304 of 1998

For Approval and Signature:

HON'BLE MR.JUSTICE P.B.MAJMUDAR

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

PATEL KHODABHAI TALASHIBHAI

Versus

STATE OF GUJARAT

Appearance:

1. Civil Revision Application No. 304 of 1998

MR PK JANI for Petitioner No. 1-19

GOVERNMENT PLEADER for Respondent No. 1-2

CORAM : HON'BLE MR.JUSTICE P.B.MAJMUDAR

Date of decision: 03/03/2004

ORAL JUDGEMENT

Learned advocate for the petitioner submitted that this matter is filed against an interlocutory order, as it arises out of an order passed by the appellate

Judge exercising his powers under Order 43 of C.P.C.

2) By the impugned order, the appellate Judge has allowed the appeal filed by the respondent and vacated interim injunction granted by the trial Court below Exh.5 in Regular Civil Suit No.120/1997. Learned advocate for the petitioner submitted that since the petitioner wants to file a petition under Article 227 of the Constitution of India, he would like to withdraw this Civil Revision Application.

3) Permission as prayed for is granted. Accordingly, this Civil Revision Application is disposed of as having been withdrawn. Rule is discharged. Interim relief granted earlier to continue upto 20th March 2004, to enable the petitioner to take appropriate proceedings, as prayed for by the petitioner.

(P.B.Majmudar,J.)

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